

**SUPREME COURT MINUTES  
FRIDAY, JANUARY 8, 2010  
SAN FRANCISCO, CALIFORNIA**

**S054774****PEOPLE v. TAYLOR (KEITH  
DESMOND)**

Time extended to consider modification or rehearing

The time for granting or denying rehearing in the above-entitled case is hereby extended to March 24, 2010, or the date upon which rehearing is either granted or denied, whichever occurs first.

**S155556**      D050304 Fourth Appellate District, Div. 1      **IN RE PHOENIX H.**

Time extended to consider modification or rehearing

The time for granting or denying rehearing in the above-entitled case is hereby extended to March 22, 2010, or the date upon which rehearing is either granted or denied, whichever occurs first.

**S177384**      B214460 Second Appellate District, Div. 5      **PEOPLE v. SMITH (RONALD  
LEE)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 16, 2010.

**S177831**      B208895 Second Appellate District, Div. 2      **PEOPLE v. HARDIN (LEWIS  
EDWARD)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 18, 2010.

**S177908**      C057485 Third Appellate District      **PEOPLE v. GALLUP  
(GARRETT LEE)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 18, 2010.

**S177950**      F057407 Fifth Appellate District      **IN RE E.A.**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2010.

**S177969**      H032499 Sixth Appellate District      **PEOPLE v. CAVALLARO  
(DAVID REID)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2010.

**S177979**      A119404 First Appellate District, Div. 5      **PEOPLE v. BUI (RYAN  
BRIAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2010.

**S177988**      D053162 Fourth Appellate District, Div. 1      **FARIBA (BEHYAR) v.  
DEALER SERVICES  
CORPORATION**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2010, or the date upon which review is either granted or denied.

**S177994**      A118207 First Appellate District, Div. 3      **PEOPLE v. COLBERT  
(GREGORY)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 11, 2010.

**S178066**      F054903 Fifth Appellate District      **PEOPLE v. VANG (LEE  
JOHNNY)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 18, 2010.

**S178070**      B209903 Second Appellate District, Div. 6      **PEOPLE v. GALAN (RAFAEL  
PEREZ)**

The time for granting or denying review in the above-entitled matter is hereby extended to February 16, 2010.

**S178091**      A121651 First Appellate District, Div. 2      **NAZIR (IFTIKHAR) v.  
UNITED AIRLINES, INC.**

The time for granting or denying review in the above-entitled matter is hereby extended to February 18, 2010.

**S178101**      B206368 Second Appellate District, Div. 6      **PEOPLE v. TEJEDA (JOHN)**  
The time for granting or denying review in the above-entitled matter is hereby extended to February 18, 2010.

**S178103**      B215486 Second Appellate District, Div. 5      **FIREMAN'S FUND  
INSURANCE CO. & ROCKET  
SCIENCE LABORATORIES v.  
WORKERS'  
COMPENSATION APPEALS  
BOARD**

The time for granting or denying review in the above-entitled matter is hereby extended to and including February 16, 2010.

**S178121**      E049531 Fourth Appellate District, Div. 2      **SMITH (MARCUS JAMES)  
ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to February 18, 2010.

**S025520**      **PEOPLE v. WALDON (BILLY  
RAY)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Karen Hamilton's representation that she anticipates filing the appellant's opening brief by January 11, 2011, counsel's request for an extension of time in which to file that brief is granted to March 15, 2010. After that date, only five further extensions totaling about 300 additional days are contemplated.

**S039894**      **PEOPLE v. SATTIEWHITE  
(CHRISTOPHER JAMES)**

Extension of time granted

Good cause appearing, and based upon counsel Peter Hensley's representation that he anticipates filing the appellant's reply brief by March 8, 2010, counsel's request for an extension of time in which to file that brief is granted to March 8, 2010. After that date, no further extension is contemplated.

**S080477****PEOPLE v. BANKS (KELVYN  
RONDELL)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Allison H. Chung's representation that she anticipates filing the respondent's brief by May 16, 2010, counsel's request for an extension of time in which to file that brief is granted to March 12, 2010. After that date, only one further extension totaling about 60 additional days is contemplated.

**S097886****PEOPLE v. ZARAGOZA  
(LOUIS RANGEL)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to March 9, 2010.

**S107900****PEOPLE v. WRIGHT, JR.,  
(WILLIAM LEE)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to March 12, 2010.

**S112691****PEOPLE v. WESTERFIELD  
(DAVID ALAN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to March 1, 2010.

**S167453****LENART (THOMAS  
HOWARD) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Wesley A. Van Winkle's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by April 5, 2010, counsel's request for an extension of time in which to file that document is granted to March 5, 2010. After that date, only one further extension totaling about 30 additional days is contemplated.

**S171845**      G040675 Fourth Appellate District, Div. 3      **KWIKSET CORPORATION v. S.C. (BENSON)**

Extension of time granted

On application of petitioners and real parties in interest and good cause appearing, it is ordered that the time to serve and file the consolidated answers to amicus curiae briefs is extended to February 10, 2010.

**S176886**      C055923 Third Appellate District      **PEOPLE v. DUNGO (REYNALDO SANTOS)**

Extension of time granted

On application of Respondent and good cause appearing, it is ordered that the time to serve and file Respondent's Opening Brief on the Merits is extended to February 4, 2010.

**S177401**      B208225 Second Appellate District, Div. 5      **O'NEIL (BARBARA J.) v. CRANE COMPANY**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file respondents' opening brief on the merits is hereby extended to February 22, 2010.

**S178356**      D055596 Fourth Appellate District, Div. 1      **HAUGEN (RICHARD) ON H.C.**

Extension of time granted

On application of Petitioner and good cause appearing, it is ordered that the time to serve and file Petitioner's reply to the answer to the petition for review is extended to January 13, 2010.

**S178414**      A125859 First Appellate District, Div. 1      **SNYDER TRUST ENTERPRISES v. FUCHS (MASSIMO)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the reply to answer to petition for review is extended to January 11, 2010.

**S178895**      E049750 Fourth Appellate District, Div. 2      **MANZO (JESSE) v. S.C. (PEOPLE)**

Extension of time granted

On application of real party in interest and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to January 25, 2010.

**S177708****LEONARD ON DISCIPLINE**

Recommended discipline imposed

The court orders that CATHYE ELAINE LEONARD, State Bar Number 177791, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, subject to the following conditions:

1. CATHYE ELAINE LEONARD is suspended from the practice of law for a minimum of 90 days, and she will remain suspended until the following requirements are satisfied:
  - i. She makes restitution to Rajesh C. Raj in the amount of \$2,000 plus 10 percent interest per annum from January 4, 2005 (or reimburses the Client Security Fund to the extent of any payment from the fund to Rajesh C. Raj, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
  - ii. The State Bar Court grants a motion to terminate her suspension pursuant to rule 205 of the Rules of Procedure of the State Bar; and
  - iii. If she remains suspended for two years or more as a result of not satisfying the preceding condition, she must also provide proof to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law before her suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. CATHYE ELAINE LEONARD must comply with the conditions of probation, if any, imposed by the State Bar Court as a condition for terminating her suspension.

CATHYE ELAINE LEONARD must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of her suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

CATHYE ELAINE LEONARD must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S177709****CRANE ON DISCIPLINE**

Recommended discipline imposed

The court orders that PETER REMINGTON CRANE, State Bar Number 196967, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. PETER REMINGTON CRANE is suspended from the practice of law for the first 60 days of probation;
2. PETER REMINGTON CRANE must comply with the other conditions of probation

recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 9, 2009; and

3. At the expiration of the period of probation, if PETER REMINGTON CRANE has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

PETER REMINGTON CRANE must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2011 and 2012. If PETER REMINGTON CRANE fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

### **S177710**

### **CALL ON DISCIPLINE**

Recommended discipline imposed

The court orders that JOHN RICHARD CALL, State Bar Number 166415, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for four years subject to the following conditions:

1. JOHN RICHARD CALL is suspended from the practice of law for a minimum of two years, and he will remain suspended until the following requirements are satisfied:
  - i. He makes restitution to Leon Kennedy in the amount of \$5,000 plus 10 percent interest per year from November 29, 2007 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Leon Kennedy, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of Probation in Los Angeles;
  - ii. He makes restitution to Trudy Martin in the amount of \$4,000 plus 10 percent interest per year from September 20, 2007 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Trudy Martin, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of Probation in Los Angeles;
  - iii. He makes restitution to Anthony Peregretti in the amount of \$1,500 plus 10 percent interest per year from September 22, 2007 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Anthony Peregretti, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of Probation in Los Angeles;
  - iv. He makes restitution to Elaine Bloom in the amount of \$4,350 plus 10 percent interest per year from September 17, 2007 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Elaine Bloom, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of

Probation in Los Angeles;

- v. He makes restitution to Darcy Alexio in the amount of \$900 plus 10 percent interest per year from October 1, 2007 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Darcy Alexio, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of Probation in Los Angeles;
  - vi. He makes restitution to Mary Thomas in the amount of \$500 plus 10 percent interest per year from February 21, 2008 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Mary Thomas, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of Probation in Los Angeles; and
  - vii. JOHN RICHARD CALL must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. JOHN RICHARD CALL must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 11, 2009.
  3. At the expiration of the period of probation, if JOHN RICHARD CALL has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

JOHN RICHARD CALL must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

JOHN RICHARD CALL must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2011, 2012, and 2013. If JOHN RICHARD CALL fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

## **S177711**

## **ANDREWS ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that SEAN LYMUS ANDREWS, State Bar Number 171711, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

SEAN LYMUS ANDREWS must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days,



respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S177712****TWIGG ON DISCIPLINE**

Recommended discipline imposed

The court orders that JAY TWIGG, State Bar Number 88201, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for four years subject to the following conditions:

1. JAY TWIGG is suspended from the practice of law for the first year of probation;
2. JAY TWIGG must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 2, 2009; and
3. At the expiration of the period of probation, if JAY TWIGG has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

JAY TWIGG must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

JAY TWIGG must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S177713****RUCK ON DISCIPLINE**

Recommended discipline imposed

The court orders that ROBERT KELLY RUCK, State Bar Number 215712, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. ROBERT KELLY RUCK is suspended from the practice of law for a minimum of the first 30 days of probation, and he will remain suspended until the following requirements are satisfied:
  - i. He makes restitution to Alvin Rhodes in the amount of \$3,962.50 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Alvin Rhodes, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles; and
  - ii. If he remains suspended for two years or more as a result of not satisfying the preceding

condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)

2. ROBERT KELLY RUCK must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 2, 2009.
3. At the expiration of the period of probation, if ROBERT KELLY RUCK has complied with all conditions of probation, the one year period of stayed suspension will be satisfied and that suspension will be terminated.

If ROBERT KELLY RUCK remains suspended for 90 days or more, he must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

ROBERT KELLY RUCK must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-fourth of the costs must be paid with membership fees for each of the years 2011, 2012, 2013, and 2014. If ROBERT KELLY RUCK fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

## **S177714**

## **BRIGGS ON DISCIPLINE**

Recommended discipline imposed

The court orders that BRUCE LEWIS BRIGGS, State Bar Number 196750, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. BRUCE LEWIS BRIGGS is suspended from the practice of law for a minimum of the first two years of probation, and he will remain suspended until the following requirements are satisfied:
  - i. He makes restitution to Alba Pena in the amount of \$6,000 plus 10 percent interest per year from March 1, 2004 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Alba Pena, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of Probation in Los Angeles;
  - ii. He makes restitution to Victoria Tearjen in the amount of \$1,640 plus 10 percent interest per year from October 4, 2004 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Victoria Tearjen, in accordance with Business

- and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
- iii. He makes restitution to Mary Lynch in the amount of \$4,000 plus 10 percent interest per year from September 9, 2003 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Mary Lynch, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
  - iv. He makes restitution to Gregory Gillman in the amount of \$3,000 plus 10 percent interest per year from June 1, 2003 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Gregory Gillman, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
  - v. He makes restitution to Jane Yoshisato in the amount of \$10,500 plus 10 percent interest per year from June 1, 2006 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Jane Yoshisato, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
  - vi. He makes restitution to Christine Haggstrom in the amount of \$1,800 plus 10 percent interest per year from March 1, 2006 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Christine Haggstrom, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles; and
  - vii. He must provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).);
2. **BRUCE LEWIS BRIGGS** must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order filed on August 5, 2009; and
3. At the expiration of the period of probation, if **BRUCE LEWIS BRIGGS** has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

**BRUCE LEWIS BRIGGS** must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

**BRUCE LEWIS BRIGGS** must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for the

years 2010 and 2011. If BRUCE LEWIS BRIGGS fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

